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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO AND OAKLAND DIVISION

THOMAS FERNANDEZ, LORA SMITH, and
 TOSHA THOMAS, individually and on behalf
 of a class of all other persons similarly situated,

Plaintiffs,

vs.

K-M INDUSTRIES HOLDING CO., INC.;
 K-M INDUSTRIES HOLDING CO., INC.
 ESOP PLAN COMMITTEE; WILLIAM E.
 AND DESIREE B. MOORE REVOCABLE
 TRUST; TRUSTEES OF THE WILLIAM E.
 AND DESIREE B. MOORE REVOCABLE
 TRUST; CIG ESOP PLAN COMMITTEE;
 NORTH STAR TRUST COMPANY;
 DESIREE B. MOORE REVOCABLE TRUST;
 WILLIAM E. MOORE MARITAL TRUST;
 WILLIAM E. MOORE GENERATION-
 SKIPPING TRUST; and DESIREE MOORE,
 BOTH IN HER INDIVIDUAL CAPACITY
 AND AS TRUSTEE OF THE WILLIAM E.
 AND DESIREE B. MOORE REVOCABLE
 TRUST'S SUCCESSOR TRUSTS NAMED
 ABOVE,

Defendants.

Case No. C-06-07339 CW

**STIPULATION AND ORDER SETTING
 SCHEDULE FOR CLASS ACTION
 SETTLEMENT APPROVAL**

1 WHEREAS, Plaintiffs and Defendant North Star Trust Company ("NSTC") (collectively,
2 the "Parties") have reached a settlement of the Class's claims against NSTC in the above-titled
3 class action;

4 WHEREAS, the Parties wish to expeditiously obtain Court approval of the settlement;

5 NOW THEREFORE, THE PARTIES HEREBY STIPULATE and AGREE as follows:

6 1. Plaintiffs shall file a Motion for Preliminary Approval of the settlement on
7 December 17, 2009, with the hearing noticed for January 21, 2010;

8 2. If preliminary approval is granted, Notice of Settlement shall be mailed to class
9 members by the later of January 31, 2010 or 10 days after preliminary approval is granted;

10 3. The deadline for class members to object to the settlement shall be the later of 45
11 days after mailing of the Notice of Settlement or March 18, 2010;

12 4. Plaintiffs shall file a Motion for Final Approval of the settlement by March 18,
13 2010;

14 5. The final fairness hearing shall be held on April 22, 2010.

15 Dated: December 3, 2009

LEWIS, FEINBERG, LEE, RENAKER & JACKSON, P.C.

16 /s/ Todd Jackson

17 By: Todd F. Jackson, Esq.
18 Attorneys for Plaintiffs

19 Dated: December 3, 2009

MORGAN, LEWIS & BOCKIUS LLP

20 /s/ Nicole Diller

21 By: Nicole Diller, Esq.
22 Attorneys for Defendant North Star Trust Company

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED, EXCEPT THAT THE MOTION**
24 **FOR PRELIMINARY APPROVAL WILL BE DECIDED ON THE PAPERS.**

25 12/14

26 Dated: _____, 2009

27 

28 Hon. Claudia Wilken, U.S. District Judge